

ESTTA Tracking number: **ESTTA181818**

Filing date: **12/19/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92047793
Party	Plaintiff Bancorp Rhode Island, Inc.
Correspondence Address	AMY B. SPAGNOLE HINCKLEY ALLEN & SNYDER LLP 28 STATE ST BOSTON, MA 02109-1775 UNITED STATES aspagnole@haslaw.com
Submission	Withdrawal of Cancellation
Filer's Name	Amy B. Spagnole
Filer's e-mail	tmdocket@haslaw.com, aspagnole@haslaw.com, jblackowicz@haslaw.com
Signature	/s/ Amy B. Spagnole/
Date	12/19/2007
Attachments	Withdrawal of Cancellation - X EXCEL BANK and Design.pdf (1 page)(27482 bytes)

)	
Bancorp Rhode Island, Inc.)	
)	
Petitioner,)	
v.)	Cancellation No. 92047793
)	Reg. No.: 2,495,729
Modern Bank, N.A.,)	Reg. Date: October 9, 2001
)	Mark: X EXCEL BANK & Design
Registrant.)	
)	

Petitioner, through its respective counsel hereby requests that this cancellation be dismissed with prejudice.

O. B. Bagule

Dated: December 19, 2007

I hereby certify that on this 4 day of December, 2007, I served a true and accurate copy of the foregoing Withdrawal of Cancellation, via first class mail, postage prepaid upon Counsel for Registrant, Adriana N. Dydell, Friedemann Goldberg LLP, 420 Aviation Boulevard, Suite 201, Santa Rosa, CA 95403.

Amy B. Spagnole